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May, 2000

ADVISORY NOTICE FOR GASOLINE DISPENSING FACILITIES

This advisory notice is provided to all persons who are required *to maintain a Permit to Operate for retail and non-retail gasoline facilities* in Placer County. The information in this notice provides a brief background on recent activities that affect gasoline dispensing facilities (e.g. gasoline stations).

In February, 1998, the Placer County Air Pollution Control District (District) staff presented to the District Board of Directors "Operational Initiatives" to improve the compliance and effective use of available resources by upgrading inspection efforts in cooperation with the Placer County Weights and Measures Sealer/Agricultural Commissioner's Department. Currently the District has a Memorandum of Understanding with the Placer County Weights & Measures Sealer/Agricultural Commissioner's Department (WMS/ACD) to conduct annual inspections of approximately 140 gasoline stations.

It is well recognized that existing vapor recovery equipment falls short of the 95% effectiveness that the equipment is supposed to achieve. Thus, the poor performance of equipment has created a gap between State Implementation Plan air quality goals and the actual emission reductions that are achieved with existing equipment.

Recently, the California Air Resources Board (ARB) adopted an "Enhanced Vapor Recovery" program that seeks to fix existing problems with service station vapor recovery systems, as well as the phased implementation of new standards over a 4-year period, to achieve a total of 25 tons per day in statewide VOC emission reductions over the performance of existing systems. In the next year, District staff will be working with the ARB staff in order to determine how these new standards will affect gasoline stations in Placer County in the future.

Until then, as part of the District's efforts the District staff has identified three specific areas to improve compliance and help increase the effectiveness of vapor recovery equipment. These areas are:

1. Adopted procedures for the recovery of re-inspection costs, at a rate of \$57.00/hour for District and WMS/ACD cost recovery.
2. Adopted a schedule of administrative penalties for recalcitrant or repetitive violations of Title 17 requirements for gasoline vapor recovery systems and a penalty for failure to perform and report results from required annual testing.
3. Implement new functional tests on a trial basis for vapor recovery system components by WMS/ACD staff during annual inspections.

These areas are discussed in detail in the following paragraphs.

COST RECOVERY RE-INSPECTION FEE

WMS/ACD staff conduct annual inspections of gasoline stations. During these inspections staff identifies non-complying items that need to be fixed. Staff then may re-inspect a gasoline station in order to assure that items are corrected. Existing District Rules allow for the recovery of costs of special studies or analysis at a rate of \$57.00/hour.

Therefore, the District has established a new policy that dictates the application of this hourly charge to re-inspections, not to exceed 4 charged hours per re-inspection, when such re-inspection is the result of a change in schedule for observing a test or a re-inspection that is required to verify correction of non-complying items found during a previous inspection. This policy is applicable to all gasoline dispensing facilities, and its use will begin on July 1, 2000 and the hourly re-inspection charge shall be assessed notwithstanding any enforcement action related to the violations or non-compliance.

ADMINISTRATIVE PENALTIES FOR RECALCITRANT OR REPETITIVE VIOLATIONS

On April 13, 2000, the District Board of Directors adopted Rule 805 - Administrative Civil Penalties. This Rule allows staff to apply a schedule of penalties for minor violations that do not warrant a negotiated mutual settlement or the filing of a civil or criminal complaint. One of the District's goals is to have gasoline station operators continuously maintain their emission control equipment in compliance with their permit conditions and State laws. Previously the WMS/ACD inspector seemingly acted as maintenance inspectors for the gasoline stations, identifying deficiencies that the stations were then to repair, with little or no penalties levied for not maintaining equipment in compliance with standards or permit conditions. It is hoped that monetary administrative civil penalties will encourage compliance. Additionally, in cases where Annual Testing has been not conducted, an administrative penalty will be applied.

The administrative civil penalty schedule and enforcement policy is outlined in the following bullets.

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| • Failure to Conduct all Required Annual Tests | Penalty of \$500.00 |
| • Substantial Defects that are tagged "Out-of-Order" | Penalty of \$75.00 each/defect |
| • Seven (7) Day Deficiencies not corrected in 7 days | Penalty of \$100.00 each/deficiency and tagging "out of order" |

At the District's discretion negotiated mutual settlements or the filing of criminal or civil complaints will be pursued. Further information can be obtained from District staff.

FUNCTIONAL TESTING ON A TRIAL BASIS

The WMS/ACD staff will be conducting simple functional tests on a trial basis for vapor recovery equipment. Two of these tests include the:

- The Ring Test
- The Bag Test for Multi-Nozzle or Single Nozzle Vacuum Assist Systems

We will be working with WMS/ACD staff to develop procedures for these tests and any other tests approved by the ARB that assure equipment operates as it should operate.

Further information is available from Ms. Ann Hobbs at (530) 889-7137.